

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **David William Matolak** Confirmation No.: **8138**
Serial No.: **09/642,373** Group Art Unit: **2137**
Filed: **August 21, 2000** Examiner: **Matthew Smithers**
For: **Data Encryption by Nonlinear** Atty Dkt No.: **39-MP-2828**
Transfer Function

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I certify that this correspondence is being transmitted electronically to the United States Patents and Trademark Office on January 15, 2009.

/Paula Montemuro/

RENEWED PETITION UNDER 37 CFR 1.137(b)

Dear Sir:

This paper requests reconsideration of the decision dated September 15, 2008 (the decision), dismissing the petition under 37 CFR 1.137(b), filed on May 01, 2008, to revive the above-identified application. A petition for a two (2) extension of time to extend the due date for requesting reconsideration of the decision is submitted herewith.

The decision states that the petition under 37 CFR 1.137(b), filed on May 01, 2008, to revive the above-identified application (the petition to revive) was dismissed because: 1) the delay in reply that originally resulted in the abandonment and 2) the delay in filing an initial petition pursuant to 37 CFR 1.137(b) to revive the application, have not been shown to the satisfaction of the Director to be unintentional.

**THE DELAY IN REPLY THAT ORIGINALLY RESULTED
IN THE ABANDONMENT WAS DUE TO THE PATENT
OFFICE OR WAS UNINTENTIONAL ON APPLICANTS PART**

On or about February 4, 2005, Bill Meise (Meise) reviewed the Notice Of Allowance And Fees Due dated January 31, 2005, which was received in the above-identified application (the notice of allowance) at the Princeton New Jersey Office of Duane Morris, LLP (the firm), where Meise is presently employed as a Patent Attorney. The notice of allowance set the due date for paying the Issue Fee at May 02, 2005.

On April 29, 2005, Meise reviewed and signed the Issue Fee transmittal papers for the above-identified application. The Issue Fee transmittal papers authorized the Director to charge the Issue Fee payment for the above-identified application to the firm's Deposit Account, i.e., Deposit Account Number 50-2061 (the Deposit Account). When Meise signed the Issue Fee transmittal papers, Meise believed that the Deposit Account had sufficient funds to cover the amount of the Issue Fee, and in fact the Deposit Account did have a sufficient balance. Submitted herewith is a copy of the April 2005 USPTO Statement for the Deposit Account, which shows a balance of \$2715.00 on April 29, 2005 for covering the \$1400 issue fee amount.

On April 29, 2005, the firm paralegal, Susan Barlett (Barlett), timely deposited the Issue Fee Transmittal papers with the United States Postal Service. A copy of the Issue Fee transmittal papers is submitted herewith.

Accordingly, applicant did not delay the reply that originally resulted in the abandonment because the applicant timely filed the Issue Fee form with the USPTO, including a charge authorization against a deposit account that had sufficient funds to cover the Issue Fee.

There are documents in the image file wrapper of the present application which suggest that the USPTO incorrectly processed the applicant's Issue Fee documents. Specifically, the private PAIR image file wrapper of the present application includes a document named "Miscellaneous Internal Document" (May 02, 2005). Inside this document is a "NOTICE OF FEE DUE" (the fee due notice), a copy of which is submitted herewith. The fee due notice appears to be a memo from the Office of Initial Patent Examination to "Issue Fee." The fee due notice states that a fee is due for the attached document submitted to the USPTO because of insufficient funds in deposit amount. The fee due notice further states to check the application for the appropriate authorizations to charge a deposit account and if an authorization is present,

charge the appropriate fee. The fee due notice also states that if an authorization is not present, to notify the applicant of the fee deficiency.

The document referenced in the fee due notice, however, does not refer to the applicant's application due to a discrepancy in serial numbers on the part of the Office. The application referenced in the fee due notice is application serial number 09642323. The serial number of the present application is 09642373.

Further, the applicant did not receive any notification from the USPTO regarding a fee deficiency, as required by the fee due notice. Moreover, the Notice of Abandonment mailed on July 11, 2005 (Abandonment) merely stated "[t]he issue fee and publication fee, if applicable, has not been received." It is true that the applicant did not enclose a check with the Issue Fee transmittal papers, however, the applicant authorized the Director to charge the Issue Fee to the applicant's deposit account on the Issue Fee transmittal paper PTOL-85. In addition, although the Abandonment provided a check box 7 entitled "[t]he reason(s) below:," no reason was provided in the Abandonment relating to any insufficiency in the Deposit Account, if any. Since the USPTO did not indicate an insufficiency in the Deposit Account in the Abandonment, it is fair and reasonable to conclude that the USPTO did not attempt to charge the Issue Fee to the deposit account.

In light of the fee due notice, which suggests that the USPTO incorrectly processed the Issue Fee, and the Abandonment, which did not indicate that there was an insufficiency in the Deposit Account, the delay in the reply that originally resulted in the abandonment appears to be accountable to the USPTO and not the applicant.

A further indication that the USPTO was incorrectly processing papers related to the present application can be found in the PAIR image file wrapper under the document named "Internal Response to Printer Query from TC" (April 26, 2005). Inside this document is: 1) a paper entitled "Printer Rush;" 2) a communication dated April 26, 2005 and entitled "Notice Regarding Drawings" (drawing notice); and 3) a corresponding PTO 948 Notice of Draftsperson's Patent Review (the PTO 948). The drawing notice and the PTO 948 were mailed in the present application to the wrong law firm, i.e., the law firm of Oliff & Berridge PLC (Oliff). The drawing notice required corrected drawings and provided a two-month time period measured from the April 26, 2005 mailing date of the drawing notice (June 26, 2005 due date) to

submit corrected drawings. The drawing notice also indicated that failure to submit corrected drawings within the set period would result in abandonment of the application.

Cliff did not forward the drawing notice and the PTO 948 to this firm. The USPTO did not notify applicant of the drawing notice and the PTO 948. Under these circumstances, the application would be deemed abandoned for lack of drawing responsive to form PTO 948 as well as the issue fee, both of which appear to have been anomalously processed by the Office. There is no proper basis to consider the matter wholly on the basis of the Deposit Account balance. And even assuming that the matter is considered on that basis, the facts show that the entire delay in resolving the matter was unintentional.

In view of the foregoing, it is respectfully submitted that the entire delay in reply that originally resulted in the abandonment of the application was not due to any action by the applicant but instead, due to problems the USPTO was having in processing the Issue Fee. If somehow the applicant did delay the reply that originally resulted in the abandonment of the application, the above facts indicate that the entire delay was clearly unintentional.

THE DELAY IN FILING AN INITIAL PETITION TO REVIVE THE APPLICATION WAS UNINTENTIONAL

The Abandonment has a mailing date of July 11, 2005. At the time the Abandonment would have been received, Barlett was Meise's legal assistant/paralegal. Barlett was responsible for opening the mail received from the USPTO and docketing the corresponding USPTO communications contained therein. Barlett was also responsible for tracking Meise's docket and notifying Meise of upcoming due dates.

According to the firm's docketing system, the Abandonment received in the present application was docketed by Barlett on August 7, 2005, however, Meise does not recall Barlett informing him of the Abandonment or that there may have been a miscommunication between Barlett and himself involving the receipt of the Abandonment.

On March 27, 2006, Barlett closed out the application in the firm's docketing system. Thus, no further reminders about the Abandonment were available from the firm's docketing system after this date. In addition, Barlett has not been employed by the firm since June 23, 2006. Barlett indicated in a telephone conference in December of 2008, that she did not

remember anything about this matter. This is not surprising, as she handled many hundreds of matters during her tenure at the firm.

Aisha Coleman (Coleman) replaced Barlett as Meise's legal assistant soon after June 23, 2006. On or about August 16, 2007, Coleman investigated the application file and determined that the Abandonment had been mailed, presumably because of insufficient funds.

On or about August 16, 2007, Coleman and the undersigned discussed the application file. I instructed her to have the application reopened on the firm's docketing system and to confer with Meise to prepare a Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b).

Coleman has not been employed by the firm since April 24, 2008. On or about April 25, 2008, I came upon the present application file in the legal assistant area. The last Applicant-USPTO communication in the file, was found to be a post card return receipt that was filed to confirm receipt of the issue fee forms, dated April 29, 2005 and bearing a PTO mailroom stamp dated "May 02 2005." I did not find a notice of Abandonment in the application file. I did not find any communications relating or responding to a notice of abandonment or a petition to revive.

On or about April 28, 2008 (the following Monday) I investigated further, including a review of the firm's docket history for the application and a review of the image file wrapper of the application on the USPTO Private PAIR system, whereupon I obtained a copy of the Notice of Abandonment, the misdirected PTO-948, and the document suggesting insufficient deposit account funds (under an erroneous serial number). I promptly filed applicant's petition to revive under 37 C.F.R. §1.137(b) on May 1, 2008, asserting that the entire delay in attending to the official requirements was unintentional.

In reviewing Coleman's email respecting the application, I found a message to the firm's Docketing department dated August 16, 2007, requesting the re-opening the application in the firm's docketing system. However, Coleman indicated in the email that I had "informed her that we will notify the client to see if he would like to go any further with this matter." I believe that was a misunderstanding on Coleman's part because my actual instructions were to confer with Meise about filing a petition to revive at that time. Meise has no recollection that Coleman ever spoke to him about the status of this application or a petition to revive.

After completing my investigation, I filed the Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) on May 01, 2008. The petition was dismissed due to doubt that the entire delay was unintentional. The foregoing information establishes that the entire delay in filing the initial petition to revive the application was unintentional.

A fresh charge authorization against a Deposit Account with sufficient fees was submitted with the initial petition to revive and the drawings required by form PTO-948 are submitted herewith. Therefore, all requirements are met. Applicant requests that the application be revived as a pending application and processed to grant.

The Commissioner is hereby authorized to charge the fee for the petition for the two month extension of time and any additional filing fees or credit any excess payment that may be associated with this paper to Deposit Account No. 04-1679.

Respectfully submitted,

Date: January 15, 2009

/Paul A. Schwarz/
Paul A. Schwarz
Registration. No.: 37,577

DUANE MORRIS LLP
P.O. Box 5203
Princeton, NJ 08543-5203
(609) 631-2446 (Telephone)
(609) 228-6142 (Facsimile)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: January 15, 2009

/Paul A. Schwarz/
Paul A. Schwarz



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month: April 2005
 Deposit Account Number: 502061
 Name: DUANE MORRIS LLP (PRINCETON PTO ACCOUNT)
 Attention: GARY J SIGALL
 Address: ONE LIBERTY PLACE
 City: PHILADELPHIA
 State: PA
 Zip: 19103
 Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
04/01	55	11093782	Y0242-00309 (LEE 4-14)	1011	\$300.00	\$14,245.00
04/01	56	11093782	Y0242-00309 (LEE 4-14)	1111	\$500.00	\$13,745.00
04/01	57	11093782	Y0242-00309 (LEE 4-14)	1311	\$200.00	\$13,545.00
04/01	58	11093782	Y0242-00309 (LEE 4-14)	1202	\$100.00	\$13,445.00
04/01	62	11093497	033005	1011	\$300.00	\$13,145.00
04/01	63	11093497	033005	1111	\$500.00	\$12,645.00
04/01	64	11093497	033005	1311	\$200.00	\$12,445.00
04/01	185	11093228	GE-07207-2	1011	\$300.00	\$12,145.00
04/01	186	11093228	GE-07207-2	1111	\$500.00	\$11,645.00
04/01	167	11093228	GE-07207-2	1311	\$200.00	\$11,445.00
04/01	170	11094035	N1280-00106	1011	\$300.00	\$11,145.00
04/01	171	11094035	N1280-00106	1111	\$500.00	\$10,645.00
04/01	172	11094035	N1280-00106	1311	\$200.00	\$10,445.00
04/01	313	11093379	D0932-00483	1011	\$300.00	\$10,145.00
04/01	314	11093379	D0932-00483	1111	\$500.00	\$9,645.00
04/01	315	11093379	D0932-00483	1311	\$200.00	\$9,445.00
04/01	316	11093379	D0932-00483	1201	\$200.00	\$9,245.00
04/01	317	11093379	D0932-00483	1202	\$1,950.00	\$7,295.00
04/01	340	10617470	N1280-00105	1501	\$1,400.00	\$5,895.00
04/01	341	10617470	N1280-00105	1504	\$300.00	\$5,595.00
04/04	2	10833565	TS02-103	1808	\$130.00	\$5,465.00
04/04	10	10495932	E1734-4	2251	\$60.00	\$5,405.00
04/04	28	11087467	GE-07178	8021	\$40.00	\$5,365.00
04/04	30	11017150	E1323-00003	2051	\$65.00	\$5,300.00
04/05	91	09710506	BRANDES-2	2501	\$700.00	\$4,600.00
04/05	92	09710506	BRANDES-2	8001	\$30.00	\$4,570.00
04/06	53	11017150	E1323-00003	8021	\$40.00	\$4,530.00

04/07 110	10613694	TSW00-776B	1801	\$790.00	\$3,740.00
04/07 111	10613694	TSW00-776B	1251	\$120.00	\$3,620.00
04/08 101	11093379	D0932-00483	8021	\$40.00	\$3,580.00
04/08 120	11093228	GE-07207-2	8021	\$40.00	\$3,540.00
04/11 61	60669284	H2296-00002	2005	\$100.00	\$3,440.00
04/11 150	11101295	NAGY-1	2011	\$150.00	\$3,290.00
04/11 151	11101295	NAGY-1	2111	\$250.00	\$3,040.00
04/11 152	11101295	NAGY-1	2311	\$100.00	\$2,940.00
04/12 314	11093497	033005	8021	\$40.00	\$2,900.00
04/12 323	11093782	Y0242-00309 (LEE 4-14)	8021	\$40.00	\$2,860.00
04/14 2	6803327		1811	\$100.00	\$2,760.00
04/14 16	10364256	ITC-50	2201	\$100.00	\$2,660.00
04/14 100	10426227	GE-07093	1501	\$1,400.00	\$1,260.00
04/14 101	10426227	GE-07093	8001	\$30.00	\$1,230.00
04/14 200	11025103	E3085-00001	2051	\$65.00	\$1,165.00
04/15 3	60661833		2005	\$20.00	\$1,145.00
04/15 4	60661833		2052	\$25.00	\$1,120.00
04/15 30	E-REPLENISHMENT		9203	-\$7,500.00	\$8,620.00
04/15 42	10444873	TS02-324(N1085-90142)	1201	\$400.00	\$8,220.00
04/15 43	10000143	BARRET-1	2801	\$395.00	\$7,825.00
04/15 44	10000143	BARRET-1	2252	\$225.00	\$7,600.00
04/15 196	10264496	IMPLEX-15	2251	\$60.00	\$7,540.00
04/18 2	E-REPLENISHMENT		9203	-\$9,260.00	\$16,800.00
04/18 47	09541525	D5009-00004	2801	\$395.00	\$16,405.00
04/18 61	10035863	IMPLEX-13	2251	\$60.00	\$16,345.00
04/19 8	10464959	HWE-111A	1201	\$200.00	\$16,145.00
04/19 114	10226702	LMC-41	1251	\$120.00	\$16,025.00
04/19 1213	78370641	N0921-00102	7003	\$200.00	\$15,825.00
04/19 1216	78370646	N0921-00099	7003	\$200.00	\$15,625.00
04/20 119	10665196	NL020923	1201	\$1,000.00	\$14,625.00
04/21 28	10818440	E1493-005	8021	\$160.00	\$14,465.00
04/21 1226	78613545	N1255-00006	7001	\$325.00	\$14,140.00
04/21 1241	78613552	N1255-00007	7001	\$325.00	\$13,815.00
04/22 9	10264496	IMPLEX-15	2801	\$395.00	\$13,420.00
04/22 37	10772063	D0932-00447	1806	\$180.00	\$13,240.00
04/22 38	10772063	D0932-00447	1253	\$1,020.00	\$12,220.00
04/26 36	11093497	033005	1202	\$350.00	\$11,870.00
04/26 64	10048638	NONE	2453	\$750.00	\$11,120.00
04/26 65	10048638	NONE	2253	\$510.00	\$10,610.00
04/26 128	10117790	EDDY1-1-1-1	1504	\$300.00	\$10,310.00
04/26 129	10117790	EDDY1-1-1-1	1501	\$1,400.00	\$8,910.00
04/26 130	10117790	EDDY1-1-1-1	8001	\$30.00	\$8,880.00
04/26 197	11112907	GE-07261	1011	\$300.00	\$8,580.00
04/26 198	11112907	GE-07261	1111	\$500.00	\$8,080.00
04/26 199	11112907	GE-07261	1311	\$200.00	\$7,880.00
04/27 6	10665196	NL020923	1201	\$400.00	\$7,480.00
04/27 7	10665196	NL020923	1202	\$2,400.00	\$5,080.00
04/27 63	10048638	NONE	8021	\$40.00	\$5,040.00

04/27 64	10048638	NONE	8021	\$40.00	\$5,000.00
04/27 67	10048638	NONE	8021	\$40.00	\$4,960.00
04/28 79	10462266	TS98-785CB	1501	\$1,400.00	\$3,560.00
04/28 80	10462266	TS98-785CB	1504	\$300.00	\$3,260.00
04/29 17	10048966	DEEP-4	2202	\$150.00	\$3,110.00
04/29 163	10228683	4001-10	2801	\$395.00	\$2,715.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$14,545.00	\$28,590.00	\$16,760.00	\$2,715.00

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NOTICE OF FEE DUE

DATE: 05-02-05

TO: ISSUE FEE

FROM: Office of Initial Patent Examination

SUBJECT: Fee Due

APPLICATION NUMBER 09642373

A fee is due for the attached document submitted to the U.S. Patent and Trademark Office for the following reason. Please check the application for the appropriate authorizations to charge a deposit account if an authorization is present, please charge the Appropriate Fee. If and authorization is not present, notify the applicant of the fee deficiency.

- ☐ Insufficient fee by check
- ☒ Insufficient funds in deposit amount
- ☐ Insufficient by Credit Card
- ☐ Declined credit card
- ☐ Non-authorization for charge to deposit account
- ☐ No fee submitted per requirement

The correct fee code: 15018201	Amount	\$ 1403
The suspended fee code: 1999	Amount	\$
The suspended 1622	Amount	\$
The suspended 2622	Amount	\$
Fee Due		\$ 1403

Terminal Operator EMJ

● PRINTER RUSH ●

(PTO ASSISTANCE)

Application : <u>09/692373</u>	Examiner : <u>Suzher</u>	GAU : <u>2137</u>
From : <u>CA</u>	Location : <u>(IDC) FMF FDC</u>	Date : <u>4/18/05</u>

Tracking # : D6D75621 Week Date : 2/7/05

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449	_____	<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS	_____	<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM	_____	<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW	_____	<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW	_____	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> DRW	<u>8/21/00</u>	
<input type="checkbox"/> OATH	_____	
<input type="checkbox"/> 312	_____	
<input type="checkbox"/> SPEC	_____	

[RUSH] MESSAGE: ATTN Chief Draftsman:
date stamp / ser. no. stamp impinges on Eigs 2-4.
Please Rescind.
Thank You

[XRUSH] RESPONSE: _____

Mailed P109 945 ± 455

INITIALS: 675

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.
 REV 10/04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER	035 FILING DATE	FIRST NAME APPLICANT	ATTORNEY DOCKET NUMBER
09/642373	08/21/2000	David William Matolak	39MP2828

OLIFF & BERRIDGE PLC
P.O. BOX 19928
ALEXANDRIA VA 22320

Examiner: Smithers, Matt

Art Unit
2137

Sheet No.

Date Mailed: April 26, 2005

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on **August 21, 2000** still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 8/21/00 are:A. ☒ approved by the Draftsperson under 37 CFR 1.84 or 1.152.B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.1. **DRAWINGS.** 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).☐ Color drawings are not acceptable until petition is granted. Fig(s) _____☐ Pencil and non black ink not permitted. Fig(s) _____2. **PHOTOGRAPHS.** 37 CFR 1.84(b)☐ One (1) full-tone set is required. Fig(s) _____☐ Photographs may not be mounted. 37 CFR 1.84(e)☐ Photographs must meet paper size requirements of☐ 37 CFR 1.84(f). Fig(s) _____☐ Poor quality (half-tone). Fig(s) _____3. **TYPE OF PAPER.** 37 CFR 1.84(c)☐ Paper not flexible, strong, white, and durable.☐ Fig(s) _____☐ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted.☐ Fig(s) _____4. **SIZE OF PAPER.** 37 CFR 1.84(f): Acceptable sizes:☐ 21.0 cm by 29.7 cm (DIN size A4) or☐ 21.6 cm by 27.9 cm (8 1/2 x 11 inches)☐ All drawing sheets not the same size.☐ Sheet(s) _____☐ Drawings sheets not an acceptable size. Fig(s) _____5. **MARGINS.** 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

☒ Margins not acceptable. Fig(s) 223☒ Top (T) ☒ Left (L)☐ Right (R) ☐ Bottom (B)6. **VIEWS.** 37 CFR 1.84(h)

REMINER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly.☐ Fig(s) _____7. **SECTIONAL VIEWS.** 37 CFR 1.84(h)(3)☐ Sectional designation should be noted with☐ Arabic or Roman numbers. Fig(s) _____8. **ARRANGEMENT OF VIEWS.** 37 CFR 1.84(i)☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____9. **SCALE.** 37 CFR 1.84(k)☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.☐ Fig(s) _____10. **CHARACTER OF LINES, NUMBERS, & LETTERS.** 37 CFR 1.84(l)☒ Lines, numbers & letters not uniformly thick and well defined, clear, durable, and black (poor line quality). Fig(s) 4-8711. **SHADING.** 37 CFR 1.84(m)☐ Solid black areas pale. Fig(s) _____☐ Solid black shading not permitted. Fig(s) _____12. **NUMBERS, LETTERS, & REFERENCE****CHARACTERS.** 37 CFR 1.84(p)☒ Numbers and reference characters not plain and legible. Fig(s) _____☐ Figure legends are poor. Fig(s) _____☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____13. **LEAD LINES.** 37 CFR 1.84(q)☐ Lead lines missing. Fig(s) _____14. **NUMBERING OF SHEETS OF DRAWINGS.**

37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____15. **NUMBERING OF VIEWS.** 37 CFR 1.84(u)☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____16. **DESIGN DRAWINGS.** 37 CFR 1.152☐ Surface shading shown not appropriate.☐ Fig(s) _____☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

*indices placed incorrectly
(Fig 1-5-7)**Fig legend filled in (Fig 1-5)*

Reviewer _____

If you have questions, call (703) 305-8404.

Date 4/26/05

Attachment to Paper No. _____

Serial No. 09/642373 Filing Date: 8-21-00 DM File No. DMP1828
 Title: Data Encryption by Nonlinear Transfer Function
 First Inventor: Mataluk Date: 4-29-03
 The PTO has received:
☐ Patent Application of _____ Last Due Date: _____
 Pages (including claims & abstract)
☐ Declaration or ☐ Designation Sheet
☐ Drawings _____ Sheet(s)/Figs. ____ to ____
☐ Priority Document
☐ Small Entity Declaration
☐ Assignment & Conveyance Cover Sheet
☐ Information Disclosure Statement
☐ PTO 1449
☐ Amendment
☐ Affidavit or Declaration
X See address
☐ Check No. _____ for \$ _____
 Atty/Secy WHL/LSB

☐ TM Application ☐ ITU Basis
☐ Statement of Use
☐ Extension of Time
☐ Notice of Appeal
☐ Brief
☐ Petition
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☒ Issue Fee (PTOLSS + transmittal) **PTO STAMP**
☐ Application for Renewal
☐ Specimen
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☒ Postcard

Serial No. 09/642373 Filing Date: 8-21-00 DM File No. DMP1828
 Title: Data Encryption by Nonlinear Transfer Function
 First Inventor: Mataluk Date: 4-29-03
 The PTO has received:
☐ Patent Application of _____ Last Due Date: _____
 Pages (including claims & abstract)
☐ Declaration or ☐ Designation Sheet
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☐ TM Application ☐ ITU Basis
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MAY 02 2005
 PATENT & TRADEMARK OFFICE

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)Applicant(s): **Matolak**

Docket No.

39MP2828

Application No.

09/642,373

Filing Date

8/21/2000

Examiner

Matthew Smithers

Customer No.

28581

Group Art Unit

2137Invention: **DATA ENCRYPTION BY NONLINEAR TRANSFER FUNCTION**

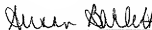
I hereby certify that this **PTOL-85 and transmittal; fee address; certificate of mailing; postcard**
(Identify type of correspondence)

is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope
addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
4/29/2005

(Date)

Susan Barlett

(Typed or Printed Name of Person Mailing Correspondence)



(Signature of Person Mailing Correspondence)

Note: Each paper must have its own certificate of mailing.

TRANSMITTAL OF PAYMENT OF ISSUE FEE (Large Entity)
(37 C.F.R. 1.311)

Docket No.
39MP2828

Applicant(s): Matolak

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/642,373	8/21/2000	Matthew Smithers	28581	2137	8138

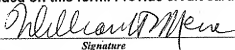
Invention: DATA ENCRYPTION BY NONLINEAR TRANSFER FUNCTION

Mail Stop Issue Fee
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith are the following for the above-identified application.

- ☒ Issue Fee Transmittal Form PTOL-85
☒ Utility Fee: \$ 1400.00 ☐ Design Fee: ☐ Plant Fee:
☐ Publication Fee:
☐ A check in the amount of is attached.
☒ The Director is hereby authorized to charge and credit Deposit Account No.
as described below.
☐ Charge the amount of
☒ Credit any overpayment.
☒ Charge any additional fee required.
☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: 4/29/2005

William H. Meise
Reg. No. 27,574
Duane Morris LLP
P.O. Box 5203
Princeton, NJ 08543-5203
609-631-2453

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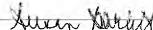
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1.8(a)] on

4/29/2005

(Date)


Signature of Person Mailing Correspondence

Susan Barlett

Typed or Printed Name of Person Mailing Correspondence

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
(703) 746-4000

or **Fax**

INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Notes: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmittal.

Certificate of Mailing or Transmittal

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Susan Barlett (Depositor's name)
 Susan Barlett (Signature)
 April 29, 2005 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/642,373	08/21/2000	David William Matolak	39-MP-2828	8138

TITLE OF INVENTION: DATA ENCRYPTION BY NONLINEAR TRANSFER FUNCTION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	05/02/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
SMITHERS, MATTHEW	2137	380-035000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Duane Morris LLP
 2
 3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE (CITY AND STATE OR COUNTRY)

Lockheed Martin Corporation

Bethesda, MD

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

☒ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☒ Advance Order - # of Copies 10

☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-2061 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

William H. Weise

Date 4/29/2005

Typed or printed name

William H. Weise

Registration No. 27,574

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is required to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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"FEE ADDRESS" INDICATION FORM

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Please recognize as the "Fee Address" under the provisions of 37 CFR 1.363 the following address associated with:



Customer Number

33923

OR



Request for Customer Number (PTO/SB125) attached hereto
in the following listed application(s) for which the Issue Fee has been paid or patent(s).

PATENT NUMBER (if known)	APPLICATION NUMBER
	09/642,373

(check one)



Applicant/Inventor



Attorney or agent of record

27,574

(Reg. No.)



Assignee of record of the entire interest. See
37 CFR 3.71. Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)



Assignment recorded at

Fram

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.



*Total of 1 forms are submitted.

William H. Meise

Signature

William H. Meise

Typed or printed name

609-631-2453

Requester's telephone number

4/29/2005

Date

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.